

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S-120-2021]

Foreign-Trade Zone 98—Birmingham, Alabama; Application for Subzone; Mercedes Benz USA, LLC, Vance, Alabama

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the City of Birmingham, Alabama, grantee of FTZ 98, requesting subzone status for the facility of Mercedes Benz USA, LLC (MBUSA), located in Vance, Alabama. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on August 10, 2021.

The proposed subzone (42.23 acres) is located at 11146 Will Walker Road, Vance, Alabama. No authorization for production activity has been requested at this time. The proposed subzone would be subject to the existing activation limit of FTZ 98.

In accordance with the FTZ Board's regulations, Christopher Kemp of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary and sent to: ftz@trade.gov. The closing period for their receipt is September 27, 2021. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to October 12, 2021.

A copy of the application will be available for public inspection in the "Reading Room" section of the FTZ Board's website, which is accessible via www.trade.gov/ftz.

For further information, contact Christopher Kemp at Christopher.Kemp@trade.gov.

Dated: August 10, 2021.

Andrew McGilvray,
Executive Secretary.

[FR Doc. 2021-17467 Filed 8-13-21; 8:45 am]

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DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[S-121-2021]

Foreign-Trade Zone 18—San Jose, California; Application for Expansion of Subzone 18G; Tesla, Inc., Lathrop, California

An application has been submitted to the Foreign-Trade Zones (FTZ) Board by the City of San Jose, grantee of FTZ 18, requesting an expansion of Subzone 18G on behalf of Tesla, Inc., in Lathrop, California. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the FTZ Board (15 CFR part 400). It was formally docketed on August 10, 2021.

Subzone 18G currently consists of the following sites: Site 1 (25.28 acres)—3500 Deer Creek Road, Palo Alto; Site 2 (265.88 acres)—45500 Fremont Boulevard, Fremont; Site 3 (10 acres)—2875 Prune Avenue, Fremont; Site 4 (39.21 acres)—901 and 1055 Page Avenue and 47700 Kato Road, Fremont; Site 5 (15.79)—47400 Kato Road, Fremont; Site 6 (31.91 acres)—6800 and 6900 Dumbarton Circle, Fremont; Site 7 (0.67 acres)—3777 and 3785 Spinnaker Court, Fremont; Site 8 (14.93 acres)—31353 Huntwood Avenue, Hayward; Site 11 (10.60 acres)—1710 Little Orchard Street, San Jose; Site 12 (18.8 acres)—800 Atlantis Street, Livermore; Site 13 (32.85 acres)—201 Discovery Drive, Livermore; Site 14 (7.76 acres)—1050 77th Avenue, Oakland; and, Site 15 (2.181 acres)—55 Admiral Robert Toney Way, Oakland.

The applicant is now requesting authority to expand the subzone to include the following additional sites in Lathrop, San Joaquin County: Site 16 (29.11 acres)—18260 South Harlan Road; Site 17 (12.5 acres)—18250 Murphy Parkway; Site 18 (48.64 acres)—17100 Murphy Parkway; Site 19 (23.07 acres)—701 D'Arcy Parkway; Site 20 (28.02 acres)—700 D'Arcy Parkway; Site 21 (13.2 acres)—401/501 Tesla Drive; and, Site 22 (4.86 acres)—500 Louise Avenue. The expanded subzone would be subject to the existing activation limit of FTZ 18.

In accordance with the FTZ Board's regulations, Qahira El-Amin of the FTZ Staff is designated examiner to review the application and make recommendations to the Executive Secretary.

Public comment is invited from interested parties. Submissions shall be addressed to the FTZ Board's Executive Secretary and sent to: ftz@trade.gov. The

closing period for their receipt is September 27, 2021. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to October 12, 2021.

A copy of the application will be available for public inspection in the "Reading Room" section of the FTZ Board's website, which is accessible via www.trade.gov/ftz.

For further information, contact Qahira El-Amin at Qahira.El-Amin@trade.gov.

Dated: August 10, 2021.

Andrew McGilvray,
Executive Secretary.

[FR Doc. 2021-17466 Filed 8-13-21; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Roger Sobrado; Inmate Number: 71907-050; USP Lewisburg, U.S. Penitentiary, P.O. Box 1000, Lewisburg, PA 17837; Order Denying Export Privileges

On September 5, 2019, in the U.S. District Court for the District of New Jersey, Roger Sobrado ("Sobrado"), was convicted of violating 18 U.S.C. 371. Specifically, Sobrado was convicted of knowingly and intentionally conspiring and agreeing with others to export and causing to be exported ITAR-controlled technical data, designated as defense articles on the United States Munitions List, to one or more foreign nationals, without having first obtained from the United States Department of State, a license or other written approval for such export. Sobrado was sentenced to 36 months in prison, three years of supervised release, \$300 special assessment and restitution of \$8,043,977.

Pursuant to Section 1760(e) of the Export Control Reform Act ("ECRA"),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 371, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e) (Prior Convictions). In addition, any Bureau of Industry and Security (BIS) licenses or other authorizations issued under ECRA, in which the person had an

¹ ECRA was enacted as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801–4852. Sobrado's conviction post-dates ECRA's enactment on August 13, 2018.

interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Sobrado's conviction for violating 18 U.S.C. 371, and has provided notice and opportunity for Sobrado to make a written submission to BIS, as provided in Section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"). 15 CFR 766.25.² BIS has not received a written submission from Sobrado.

Based upon my review of the record and consultations with BIS's Office of Exporter Services, including its Director, and the facts available to BIS, I have decided to deny Sobrado's export privileges under the Regulations for a period of 10 years from the date of Sobrado's conviction. The Office of Exporter Services has also decided to revoke any BIS-issued licenses in which Sobrado had an interest at the time of his conviction.³

Accordingly, it is hereby *ordered*:

First, from the date of this Order until September 5, 2029, Roger Sobrado, with a last known address of Inmate Number: 71907-050, USP Lewisburg, U.S. Penitentiary, P.O. Box 1000, Lewisburg, PA 17837, and when acting for or on his behalf, his successors, assigns, employees, agents or representatives ("the Denied Person"), may not directly or indirectly participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the Regulations, including, but not limited to:

A. Applying for, obtaining, or using any license, license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or engaging in any other activity subject to the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the Regulations, or from any other activity subject to the Regulations.

Second, no person may, directly or indirectly, do any of the following:

A. Export or reexport to or on behalf of the Denied Person any item subject to the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by the Denied Person of the ownership, possession, or control of any item subject to the Regulations that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby the Denied Person acquires or attempts to acquire such ownership, possession or control;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from the Denied Person of any item subject to the Regulations that has been exported from the United States;

D. Obtain from the Denied Person in the United States any item subject to the Regulations with knowledge or reason to know that the item will be, or is intended to be, exported from the United States; or

E. Engage in any transaction to service any item subject to the Regulations that has been or will be exported from the United States and which is owned, possessed or controlled by the Denied Person, or service any item, of whatever origin, that is owned, possessed or controlled by the Denied Person if such service involves the use of any item subject to the Regulations that has been or will be exported from the United States. For purposes of this paragraph, servicing means installation, maintenance, repair, modification or testing.

Third, pursuant to Section 1760(e) of the Export Control Reform Act (50 U.S.C. 4819(e)) and Sections 766.23 and 766.25 of the Regulations, any other person, firm, corporation, or business organization related to Sobrado by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order in order to prevent evasion of this Order.

Fourth, in accordance with Part 756 of the Regulations, Sobrado may file an appeal of this Order with the Under Secretary of Commerce for Industry and Security. The appeal must be filed within 45 days from the date of this Order and must comply with the provisions of Part 756 of the Regulations.

Fifth, a copy of this Order shall be delivered to Sobrado and shall be published in the **Federal Register**.

Sixth, this Order is effective immediately and shall remain in effect until September 5, 2029.

John Sonderman,

Director, Office of Export Enforcement.

[FR Doc. 2021-17455 Filed 8-13-21; 8:45 am]

BILLING CODE 3510-DT-P

DEPARTMENT OF COMMERCE

Bureau of Industry and Security

In the Matter of: Oben Cabalceta, Inmate Number: 72454-050, FCI Oakdale, Federal Correctional Institution, P.O. Box 5010, Oakdale, LA 71463; Order Denying Export Privileges

On September 18, 2019, in the U.S. District Court for the District of New Jersey, Oben Cabalceta ("Cabalceta"), was convicted of violating 18 U.S.C. 371. Specifically, Cabalceta was convicted of knowingly and intentionally conspiring and agreeing with others to export and causing to be exported ITAR-controlled technical data, designated as defense articles on the United States Munitions List, to one or more foreign nationals, without having first obtained from the United States Department of State, a license or other written approval for such export. Cabalceta was sentenced to 42 months in prison, two years of supervised release, \$200 special assessment and restitution of \$1,890,939.

Pursuant to Section 1760(e) of the Export Control Reform Act ("ECRA"),¹ the export privileges of any person who has been convicted of certain offenses, including, but not limited to, 18 U.S.C. 371, may be denied for a period of up to ten (10) years from the date of his/her conviction. 50 U.S.C. 4819(e) (Prior Convictions). In addition, any Bureau of Industry and Security (BIS) licenses or other authorizations issued under ECRA, in which the person had an interest at the time of the conviction, may be revoked. *Id.*

BIS received notice of Cabalceta's conviction for violating 18 U.S.C. 371, and has provided notice and opportunity for Cabalceta to make a written submission to BIS, as provided in Section 766.25 of the Export Administration Regulations ("EAR" or the "Regulations"). 15 CFR 66.25.² BIS

¹ ECRA was enacted as part of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, and as amended is codified at 50 U.S.C. 4801-4852. Cabalceta's conviction post-dates ECRA's enactment on August 13, 2018.

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2021).

² The Regulations are currently codified in the Code of Federal Regulations at 15 CFR parts 730-774 (2021).

³ The Director, Office of Export Enforcement, is now the authorizing official for issuance of denial orders, pursuant to recent amendments to the Regulations (85 73411, November 18, 2020).